

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed March 9, 2007 ("Office Action"). At the time of the Office Action, Claims 1-6, 9-19, 22-32, and 35-45 were pending in the application. In the Office Action, the Examiner rejects Claims 40-45. Applicants amend Claims 40, 42, and 44. Applicants do not admit that these amendments are necessary in light of any rejections or art. Applicants thank the Examiner for allowing Claims 1-6, 9-19, 22-32 and 35-39.

Section 103 Rejections

The Examiner rejects Claims 40-45 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2006/0098620 A1 to Zhou, et al. ("*Zhou*") in view of U.S. Patent No. 6,683,886 B1 issued to van der Tuijn, et al. ("*Tuijn*"). Applicants respectfully request reconsideration and allowance of Claims 40-45.

The Examiner's reliance on *Tuijn* to teach, suggest, or disclose, "wherein ... communications associated with the first wireless connection and communications associated with the second wireless connection are scheduled according to priority levels assigned to communication devices," as recited, in part, in amended Claim 40, is completely misplaced. *Tuijn* simply does not have "priority levels assigned to communication devices." Instead, *Tuijn* is limited to a prioritization of "communication links." The "communication links 16" of *Tuijn* are distinct from the "master" or "master/slave" devices 14 and "communication circuitry 19" of *Tuijn*. Therefore, prioritizing according to "communication links 16" as required by *Tuijn* does not teach, suggest, or disclose having "priority levels assigned to communication devices."

Once the Examiner realizes the fundamental distinction between "communication links 16" and the "master" or "master/slave" devices 14 of *Tuijn*, as set forth above, it becomes clear that the portions of *Tuijn* relied upon by the Examiner simply do not support the rejection. For example, the Examiner cites col. 5, ll. 10-18 of *Tuijn* on page 4 of the Office Action. However, this portion of *Tuijn* recites, "In general, processing circuitry 18 of communication device 14 is configured to provide data to be communicated into packets and to retrieve data from packets. According to aspects of the present invention, processing circuitry 18 is configured to *analyze communication links 16* of the appropriate piconet and to *prioritize an order of communication of the packets using the communication links 16*

responsive to the analysis. Further details regarding such prioritization are described below.” (*Tuijn*, col. 5, ll. 10-18; emphasis added). Clearly, this passage only relates to analyzing and using **communication links 16** to prioritize an order of communication of the packets. Significantly, nothing in this passage teaches, suggests, or discloses having “priority levels assigned to communication devices,” as recited, in part, in Claim 40.

The Examiner also cites col. 5, ll. 44-65 of *Tuijn* on page 4 of the Office Action. However, the first sentence of this passage makes clear that this process only occurs after the packet scheduler 30 schedules a packet for communication. In particular, the first sentence of this passage recites, “Once packet scheduler 30 schedules a packet for communication, packet formatter/decoder 34 is activated to transfer the appropriate packet.” (*Tuijn*, col. 5, ll. 44-65). The rest of this passage merely relates to the timing for packet transfer and the like, not to assigning any priority levels. Again, nothing in this passage teaches, suggests, or discloses having “priority levels assigned to communication devices,” as recited, in part, in Claim 40.

In addition to these passages from col. 5 of *Tuijn*, the Examiner relies upon col. 7, ll. 36-40 and 60-67. These passages recite, “The *priorities are initially determined for communication links* established with a master unit upon commencement of communication operations. As previously mentioned, slave units and communication links may be dynamically coupled and decoupled with the master unit during communications.” (*Tuijn*, col. 7, ll. 36-40; emphasis added) and “Following the enabling of a link, processor 20 proceeds to step S22 to *check data transfer rates of all communication links*. Such is performed by master communication device with respect to individual communication links of associated slave communication devices within a given piconet.” (*Tuijn*, col. 7, ll. 60-67; emphasis added). These passages are clearly directed to determining prioritization based on communication links, not assigning priority levels to communication devices. Indeed, nothing in these passages teaches, suggests, or discloses having “priority levels assigned to communication devices,” as recited, in part, in Claim 40.

Moreover, that “link control block 28” of device 14 in *Tuijn* “stores information for the corresponding communication links 16” (*Tuijn*, col. 5, ll. 29-43), does not teach, suggest, or disclose having “priority levels assigned to communication devices,” as recited, in part, in Claim 40. Indeed, the prioritization performed in *Tuijn* is associated with the “communication links 16” not any devices, and just because information about these prioritizations may be stored in the “link control block 28” does not change that.

Thus, all of the cited portions of *Tuijn* are limited to determining prioritization based on communication links 16, and none of the cited portions of *Tuijn* teaches, suggests, or discloses having “priority levels assigned to communication devices,” as recited, in part, in Claim 40. The Examiner simply does not have any basis for making a rejection of Claim 40 based on *Tuijn*.

For at least these reasons, Applicants respectfully request reconsideration and allowance of Claim 40. Claim 41 depends from Claim 40 shown above to be allowable. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claim 41. Claims 42 and 44 are allowable for at least the reasons set forth above regarding Claim 40. Claims 43 and 45 depend from independent claims shown above to be allowable. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claims 42-45.

CONCLUSION

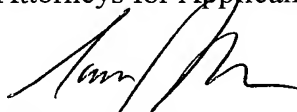
Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Samir A. Bhavsar, Attorney for Applicants, at the Examiner's convenience at (214) 953-6581.

Although no fees are believed due for this response, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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